THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

W.P.No.600 of 2006

DATED:02.03.2006

Between:

G. Venkata Narasimha Rao ..Petitioner

And

The Government of A.P., rep., by its Principal Secretary, Social Welfare Department, Secretariat, Hyderabad and others.

..Respondents.

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ORDER:

This writ petition is filed questioning the rejection of interim order, pending revision filed by the petitioners before the 1st respondent under Clause 6 of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1950 read with Regulation 1 of 1970.

The primary Authority initiated proceedings for eviction of the petitioners from the land in survey numbers 559 and 560, admeasuring Ac.13.34 guntas, Akinepalli Village, Dammapet Mandal, Khammam District. After verifying the records, the primary authority has accepted the plea of the petitioners that they have purchased the land prior to the Regulations came into force and accordingly, dropped the proceedings initiated against them. However, aggrieved by the order, dated 11.02.1993, passed by the primary authority, in LTR case No.612/92/DPT, the 3rd respondent carried the matter in appeal before the Agent to Government-2nd respondent herein. The 2nd respondent by order, dated 19.08.2003, in C.M.A.No.23

of 1994, allowed the appeal while setting aside the order, dated 11.02.1993, passed by the primary authority. Against the order of the appellate authority, the petitioners filed a revision before the Government-1st respondent as provided under Regulation 6 of the Act. In the said revision, they also requested for passing interim orders, but the revisional authority rejected the request of the petitioners through the impugned letter, dated 08.12.2005. Hence, this writ petition.

Inasmuch as it is the case of the petitioners that they purchased the land by an agreement of sale, dated 10.01.1963, before the Regulations came into force and though such plea said to have been accepted by the primary authority, the same is reversed by the appellate forum. Admittedly, the legality and validity of the findings recorded by the appellate authority are the subject matter of revision, pending before the revisional authority. Since it is not in dispute that the petitioners are in continuous and uninterrupted possession of the land from 1963, I deem it appropriate to dispose of the writ petition directing the 1st respondent-revisional authority to dispose of the revision, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. Further, the 1st respondent shall not take any steps for evicting the petitioners from the land in survey numbers 559 and 560, admeasuring 13.34 guntas, situated at Akinepalli Village, Dammapet Mandal, Khammam District, till the disposal of the revision petition.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

Dated:02.03.2006

Note: Furnish copy by 06.03.2006.

(B/o) GJ